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Attorneys for Plaintiffs,
LOUD RECORDS LLC; UMG
RECORDINGS, INC.; SONY BMG
MUSIC ENTERTAINMENT; ELEKTRA
ENTERTAINMENT GROUP INC.; and
FONOVISA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

LOUD RECORDS LLC, a Delaware
corporation; UMG RECORDINGS, INC., a
Delaware corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; ELEKTRA ENTERTAINMENT
GROUP INC., a Delaware corporation; and
FONOVISA, INC., a California corporation,,
Plaintiffs,

v.

JOHN DOE,
Defendant.

CASE NO. C 07-03090 WDB

Honorable Wayne D. Brazil

***EX PARTE APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND EXTEND TIME TO SERVE
DEFENDANT AND [PROPOSED] ORDER***

1 Plaintiffs hereby request that the Court continue the case management conference currently
2 set for September 17, 2007, at 4:00 p.m. to December 17, 2007. Plaintiffs further request, pursuant
3 to the Federal Rules of Civil Procedure, Rules 4(m) and 6(b)(1), that Plaintiffs' time to serve the
4 Summons and Complaint on Defendant John Doe ("Defendant") be extended from October 11, 2007
5 to January 9, 2008.

6 Plaintiffs filed the Complaint against Defendant on June 13, 2007. Also on June 13, 2007,
7 Plaintiffs filed their *Ex Parte* Application for Leave to Take Immediate Discovery seeking the
8 Court's permission to serve a Rule 45 subpoena on University of California, Santa Cruz ("UC Santa
9 Cruz"). On June 21, 2007, this Court issued its Order Re Leave to Take Immediate Discovery
10 authorizing Plaintiffs to serve a Rule 45 subpoena on UC Santa Cruz so that Plaintiffs could obtain
11 information sufficient to identify Defendant.

12 UC Santa Cruz has responded to Plaintiffs' subpoena, and Plaintiffs have now determined the
13 identity of Defendant. However, Plaintiffs are hopeful that this case will settle without the need to
14 resort to further litigation. Accordingly, Plaintiffs are attempting to contact Defendant regarding
15 settlement before amending the Complaint to name Defendant, and are sending Defendant a letter to
16 that effect. Therefore, a case management conference is unnecessary at this time. Plaintiffs
17 therefore request that the Court continue the case management conference currently set for
18 September 17, 2007, at 4:00 p.m. to December 17, 2007. Given the foregoing circumstances, and
19 because the original time period for Plaintiffs to serve the Summons and Complaint on Defendant
20 will expire on October 11, 2007, Plaintiffs further request that Plaintiffs' time to serve the Summons
21 and Complaint on Defendant be extended to January 9, 2008.

22
23 Dated: September 10, 2007

HOLME ROBERTS & OWEN LLP

24 By: /s/ Matthew Franklin Jaksa

25 Matthew Franklin Jaksa

26 Attorney for Plaintiffs

27 LOUD RECORDS LLC; UMG

28 RECORDINGS, INC.; SONY BMG

MUSIC ENTERTAINMENT; ELEKTRA

ENTERTAINMENT GROUP INC.; and

FONOVISA, INC.

ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently set for September 17, 2007, at 4:00 p.m. be continued to December 17, 2007.

IT IS FURTHER ORDERED that, pursuant to the Federal Rules of Civil Procedure, Rules 4(m) and 6(b), Plaintiffs' time to serve the summons and complaint on Defendant is hereby extended to January 9, 2008.

Dated: _____

By: _____
Honorable Wayne D. Brazil
United States Magistrate Judge